

REMARKS

Reconsideration of the present application is respectfully requested. Claims 1, 5, 8-10, 15, 16, 20 and 23 have been amended to clarify the activities of and/or associations between or among the associated business locations providing the distinctive adornments. Claims 1-23 remain pending in this application.

Claims 1-12 and 18-23 were rejected under 35 U.S.C. 102(e) as being anticipated by Schlier (U.S. 6,413,617). Claims 13-17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Schlier in view of Fowler (U.S. 2002/0026348).

The Schlier patent is directed to an informational card that incorporates separable, functional articles that can be removed and placed on other articles, independently, or in conjunction with one another. Essentially, the card allows an individual to form multiple keepsakes from one single informational card that can be worn or otherwise displayed separate and apart from the informational card.

In the background section of the Schlier patent, the patentee discusses the general concept of acquiring memorabilia and souvenirs, or other commemorative items from various tourist attractions or other businesses, the particular items displaying identifying markings or indicia. The patentee describes the shortcomings in the prior art where commemorative items or the like failed to provide both a functional and a non-functional benefit. With the information card of Schlier's invention, a card-type medium provides a non-functional benefit (e.g., booklet of information about a particular experience, attraction, etc.) as well as a functional benefit in the form of removable keepsakes that are separable from the card for attachment to other items, where the keepsakes present indicia that visually relate the keepsakes to the information contained in or theme presented by the card. See col. 1, line 18 to col. 2, line 33.

The Applicant's invention relates to a method of encouraging re-patronage by specific customers of different associated business locations through the offering of specific souvenir adornments that the customer acquires by visiting or otherwise patronizing each of the business locations. The invention overcomes the problem of consumers having a lack of incentive to repeatedly visit the same business at different geographic locations along a specific customer's travel path, or to visit different businesses that have some association or alliance with one another so that the different businesses benefit from increased consumer patronage among the businesses. The invention also provides a way for consumer purchasing habits to be recognized as the consumer patronizes different locations of a given business or a group of associated business that benefit from the aforementioned association, for marketing or other purposes.

In one embodiment, the customer acquires at each business location patronized an adornment that can be attached to an article, so that the combination of adornments on the article creates a commemorative souvenir uniquely reflecting the individual customer's personal travels. For instance, the adornments may themselves depict some form or representation that is geographically significant and linked to the place in which it was obtained. Depending on the arrangement or association created by the adornments, the consumer's drive to create a more complete souvenir would compel them to patronize a particular business (or associated businesses) repeatedly during the course of their travels in order to obtain the necessary adornments to create the souvenir. Still further, in another embodiment, the indicia on an article to which the adornments are attached (e.g., a shirt, a hat, a mug, a travel bag, etc.), and optionally on the adornments themselves, relate to a particular event, such that events or subevents represented by the adornments collectively create a commemorative souvenir.

Amended independent claims 1 and 23 are each directed to a method of encouraging customer patronage at multiple associated business locations. With each of these methods, a patron is provided with an adornment receiving article, and then is provided with distinctive adornments at different business locations of the multiple associated business locations. Through the association between the businesses, the patron is motivated to visit the different business locations to collect the various adornments. The Schlier patent does not disclose or teach such a process.

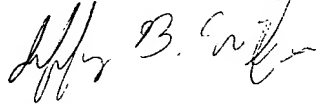
Schlier merely discusses that it is known for event-oriented businesses or tourist destinations to provide to patrons functional or non-functional souvenirs or memorabilia, and that the invention of Schlier provides additional utility by combining functional and non-functional souvenirs including an informational card that incorporates separable, functional articles that can be removed and placed on other articles, independently, or in conjunction with one another. For instance, the functional article and non-functional card may represent a common theme, so that multiple keepsakes are created when the articles are separated. There is no teaching in Schlier regarding the separable items or any components of the information card being purchased at different business locations of a group of multiple associated business locations. Nor does the background information in the Schlier Patent provide such teachings. It is through the claimed process of the applicant's invention where distinctive adornments are obtained at different business locations that a consumer is provided with an incentive to repeatedly visit the same business at different geographic locations along a specific customer's travel path, or to visit different businesses that have some association or alliance with one another, so that the different businesses benefit from increased consumer patronage among the businesses.

As such, the Schlier patent does not disclose or suggest a method of encouraging customer patronage at multiple associated business locations as claimed in independent claims 1 and 23, and thus does not anticipate these claims. Accordingly, withdrawal of the rejection of claims 1 and 23 under 35 U.S.C. 102(e) as being anticipated by Schlier is respectfully requested. Claims 2-12 and 18-22 depend either directly or indirectly from claim 1, and include all of the limitations of claim 1. Therefore, as claim 1 is now believed to be allowable over Schlier, claims 2-12 and 18-22 are also allowable, and withdrawal of the rejection of claims 2-12 and 18-22 under 35 U.S.C. 102(e) as being anticipated by Schlier is respectfully requested.

Furthermore, with respect to the rejection of claims 13-17 as being unpatentable over Schlier in view of Fowler, these claims depend either directly or indirectly from claim 1 and thus are believe to be allowable over Schlier for the reasons stated above. Furthermore, Fowler does not supply the teachings missing in Schlier; namely, a method of encouraging customer patronage at multiple associated business locations where a patron is provided with an adornment receiving article, and then is provided with distinctive adornments at different business locations of the multiple associated business locations. Accordingly, withdrawal of the rejection of claims 13-17 under 35 U.S.C. 103(a) as being unpatentable over Schlier in view of Fowler is respectfully requested.

Based on the foregoing, it is submitted that the Applicant's invention as defined by claims 1-23 is patentable over the references of record. Issuance of a Notice of Allowance is respectfully requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Jeffrey B. Williams", written over a horizontal line.

Jeffrey B. Williams

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